

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re:

Chapter 7

BALGOBIN RATTAN,

Case No. 19-47316-cec

Debtor.

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**NOTICE OF APPLICATION TO EXTEND THE AUTOMATIC STAY, AS AGAINST
ALL CREDITORS, PURSUANT TO 11 U.S.C. § 362(c)(3)**

PLEASE TAKE NOTICE that upon the annexed application of Balgobin Rattan, Debtor, a hearing will be held before the Honorable Carla E. Craig, United States Bankruptcy Judge, to consider the Debtor's motion for an Order granting relief as follows: The Debtor respectfully requests that the Court continue the automatic stay, as to all creditors, beyond the thirtieth day following the filing of this case and impose such conditions and limitations upon the automatic stay as set forth in this motion, and grant such other relief as the court in equity deems appropriate under the circumstances.

Date and time of hearing: **December 19, 2019 at 2:30 p.m.**

Location: **Honorable Carla E. Craig
U.S. Bankruptcy Court
271-C Cadman Plaza East
Brooklyn, New York 11201-1800
Courtroom # 3529**

Dated: Brooklyn, New York
December 10, 2019

/s/ Joseph Y. Balisok

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251 Troy Avenue
Brooklyn, NY 11233
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To:

Office of the United States Trustee
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

Chapter 13 Trustee
David J. Doyaga, Esq.
26 Court St #1601
Brooklyn, NY 11242

Bank of America
4909 Savarese Cir
Tampa, FL 33634-2413

Barclays Bank Delaware
100 West St
Wilmington, DE 19801

Chase Card Services
Attn: Bankruptcy
270 Park Avenue
New York, NY 10017, USA

Citi/Sears
Citibank/Centralized Bankruptcy
388 Greenwich Street
New York, NY 10013

Deutsche Bank National Trust Company
345 Park Ave
New York, NY 10154-0004

First National Bank
Attn: Bankruptcy
1620 Dodge St # MSC 4440
Omaha, NE 68197-0003

Ras Boriskin, LLC
900 Merchants Concourse Ste 300
Westbury, NY 11590-5114

State Farm Financial S
1 State Farm Plz
Bloomington, IL 61710-0001

The Bureaus Inc
650 Dundee Rd
Northbrook, IL 60062-2747

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**APPLICATION TO EXTEND THE AUTOMATIC STAY, AS AGAINST
ALL CREDITORS, PURSUANT TO 11 U.S.C. § 362(c)(3)**

**TO: THE HONORABLE CARLA E. CRAIG,
UNITED STATES BANKRUPTCY JUDGE:**

COMES NOW the Debtor, by and through undersigned counsel, and moves the Court, pursuant to 11 U.S.C. §362(c)(3), for an Order extending the automatic stay as to all Creditors, and in support thereof states:

1. The Debtor filed this bankruptcy petition on December 4, 2019.
2. The debtor previously filed bankruptcy, Case No. 19-40719-cec under Chapter 13 on February 6, 2019, and that case was dismissed on March 25, 2019 and closed on April 16, 2019.
3. At the time of the dismissal of the prior cases, there was not then pending any motion to modify, annul or for relief from the automatic stay pursuant to 11 U.S.C. 362 (4).
4. The Debtor had no other pending bankruptcy cases in the preceding one-year period.
5. The Debtor did not have any prior cases dismissed in the past year for any of the following reasons:
 - a. failure to file or amend other required documents without substantial excuse, or
 - b. failure to provide adequate protection as ordered by the Court, or
 - c. failure to perform the terms of a plan confirmed by the Court.

6. There has been a substantial change in the financial or personal affairs of the Debtor since the dismissal of the last case, and the debtor believes that this case will be concluded with a discharge.
7. The automatic stay will terminate on January 3, 2020, without further order of this Court.

WHEREFORE, Debtor respectfully requests that the Court continue the automatic stay, as to all creditors, beyond the thirtieth day following the filing of this case and impose such conditions and limitations upon the automatic stay as set forth in this motion, and grant such other relief as the court in equity deems appropriate under the circumstances.

Dated: Brooklyn, New York
December 10, 2019

/s/ *Joseph Y. Balisok*

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**AFFIRMATION IN SUPPORT OF APPLICATION TO EXTEND THE
AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362I(3)**

STATE OF NEW YORK)
) ss.
COUNTY OF KINGS)

The Debtor(s), in support of the Motion to Extend the Automatic Stay, state as follows:

1. I filed this bankruptcy petition on December 4, 2019.
2. I previously filed bankruptcy, Case No. 19-40719-cec under Chapter 13 on February 6, 2019, and that case was dismissed on March 25, 2019 and closed on April 16, 2019.
3. I have had no other pending bankruptcy cases in the preceding one-year period.
4. I have not had any prior case dismissed in the past year for any of the following reasons:
 - a. failure to file or amend other required documents without substantial excuse, or
 - b. failure to provide adequate protection as ordered by the Court, or
 - c. failure to perform the terms of a plan confirmed by the Court.
5. I have had a substantial change in my financial or personal affairs since the dismissal of the last case, and I believe that this case will be concluded with a discharge.
6. The substantial change in my financial or personal affairs since the dismissal of the last case relates to my health improving, which enables me to collect rent.

/s/ *Balgobin Rattan*

Balgobin Rattan

SUBSCRIBED and AFFIRMED to before me
this 10th day of December, 2019

/s/ *Joseph Y. Balisok*

Joseph Y. Balisok

Notary Public – State of New York

No. 02BA6225166

Qualified in Kings County

My Commission Expires: July 19, 2022

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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ORDER EXTENDING AUTOMATIC STAY AS AGAINST ALL CREDITORS

ON THIS DATE the Court considered the Application for Continuation of Automatic Stay (the “Motion”) filed by the Debtor, Balgobin Rattan, on December 10, 2019 and its “Notice of Motion for Continuation of Automatic Stay” mailed on December 10, 2019, whereby parties in interest were notified that any objection to the continuation motion was required no later than three days prior to the return date, and that, if no objection to the motion was timely filed by the stated deadline, then the motion may be granted as unopposed. Upon review of the file in the above stated-referenced case, the Court finds that proper notice of the Motion was given pursuant to Federal and Local Rules of Bankruptcy Procedure and that no objection to the continuation of the automatic stay was timely filed by any party. Accordingly, the Court finds that just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that the Motion for Continuation of Automatic Stay filed by the Debtor, Balgobin Rattan , on December 10, 2019, is hereby GRANTED and that the automatic stay is hereby EXTENDED AS TO ALL CREDITORS without prejudice. Creditors can file a motion for relief from stay, pursuant to 11 U.S.C. § 362(c)(3)(B).

Dated: December 10, 2019
Brooklyn, New York

Honorable Carla E. Craig
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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CERTIFICATE OF SERVICE

STATE OF NEW YORK)
) ss: Brooklyn
COUNTY OF KINGS)

I, Joseph Y. Balisok, hereby declare, under penalty of perjury under the laws of the United States of America, and pursuant to 28 U.S.C. § 1746, that on Tuesday, December 10, 2019, I caused to be served a copy of the 1) **NOTICE OF APPLICATION TO EXTEND THE AUTOMATIC STAY, AS AGAINST ALL CREDITORS, PURSUANT TO 11 U.S.C. §362(c)(3), 2) APPLICATION TO EXTEND THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(3) AS AGAINST ALL CREDITORS, and 3) ORDER EXTENDING AUTOMATIC STAY AS AGAINST ALL CREDITORS**, by regular mail upon each of the parties listed on the service list below by depositing true copies of same in sealed envelopes, with postage pre-paid thereon, in an official depository of the United States Postal Service within the Borough of Brooklyn, City and State of New York.

Dated: Brooklyn, New York
December 10, 2019

/s/ Joseph Y. Balisok

Joseph Y. Balisok
Balisok & Kaufman PLLC
251 Troy Avenue
Brooklyn, NY 11233
Telephone: (718) 928-9607
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Service List

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Chapter 13 Trustee
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26 Court St #1601
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Bank of America
4909 Savarese Cir
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Barclays Bank Delaware
100 West St
Wilmington, DE 19801

Chase Card Services
Attn: Bankruptcy
270 Park Avenue
New York, NY 10017, USA

Citi/Sears
Citibank/Centralized Bankruptcy
388 Greenwich Street
New York, NY 10013

Deutsche Bank National Trust Company
345 Park Ave
New York, NY 10154-0004

First National Bank
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1620 Dodge St # MSC 4440
Omaha, NE 68197-0003

Ras Boriskin, LLC
900 Merchants Concourse Ste 300
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1 State Farm Plz
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